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SUBJECT: GANG VIOLENCE THREATENS GUATEMALAN SECURITY

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[F.](#) 04 TEGUCIGALPA 1843

[G.](#) 04 MEXICO 09185

[¶11.](#) (SBU) SUMMARY. With the implementation of hardline policies against gangs in neighboring Honduras and El Salvador (reftels), Guatemala is searching for ways to combat its own gang problem. The GOG blames the gangs for the continued upswing in homicides, which have increased each year for the last three. Gang membership, activity, and violence are certainly on the rise. Estimates on the number of youth associated with gangs in Guatemala vary wildly -- from 8,000 to 175,000. Though gangs are centered in the capital, there are also reliable reports of activity throughout the rest of the country. Gangs have organized complex extortion operations, charging buses, taxis, businesses, and even private citizens "war taxes" in dangerous "red zones" of the capital. They also retail narcotics and prey on illegal migrants on the border with Mexico. They also constitute a serious problem for a judicial system that already suffers from incompetence, corruption, and intimidation. Programs aimed at prevention and increased police professionalism could reduce some gang violence. To combat gang activity in Villa Nueva (the highest crime district in Guatemala City), AID and NAS have complementary pilot programs involving collaborated efforts between justice authorities, police, and community members, along with intense training of the police on how to mount complex investigations of gangs' organized criminal activities. Ultimately, Guatemala needs to find transparent methods to curb gang activity (and other organized crime) or the public will call for hard-line repression. END SUMMARY.

Gory Violence: Attributable to Gangs?

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[¶12.](#) (U) A woman's decapitated head was found wrapped in a book-bag on a bus commuting through one of the most dangerous neighborhoods in Guatemala City on the afternoon of January 122. Over the following days, body parts appeared around the city. The victim was a 16-year-old girl, allegedly a member of the gang Mara 18. This murder, like 97% of homicides in Guatemala, will probably remain unsolved and the perpetrators unpunished. And by no means is this an isolated event. On any given day, you can glance at the front page of any of the local tabloid papers and literally see multiple photos of bloody corpses or bodies wrapped in nylon bags, evidence of the, on average, 9 murders that take place daily in the Guatemala City metro area. In a survey published by national daily "El Periodico" on January 11, respondents overwhelmingly identified public security as the biggest problem facing Guatemala.

[¶13.](#) (SBU) Homicides increased by 6% in 2004, from 4,237 in 2003 to 4,507 (Source: National Civil Police (PNC)), continuing a five year upswing. Murders of women (to which the press dedicated front-page headlines throughout the past year) also rose, from 383 in 2003 to 497 (Source: PNC). (Note: Statistics vary widely from source to source. The Supreme Court, which oversees all the national morgues, reported that 3,038 individuals were murdered in 2002, 4,058 in 2003, and 5,069 individuals from January 1-November 30 2004, only 159 of whom were women. Daily "Prensa Libre" reported that there were 3,325 murders in 2003, 4,346 in 2004 and 527 killings of women in 2004. We use the PNC numbers, which are based on police reports, only to indicate trendlines. End note.)

Gaping Holes in Intelligence

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[¶14.](#) (SBU) An absence of reliable information hinders solid analysis of gang activity in Guatemala. Though a few studies have been conducted, their methodologies were not systematic and the conclusions vary widely. Therefore, much of the information available to us and local authorities is anecdotal. Without inside sources, the National Civil Police (PNC) has extremely limited data about the structure, membership and criminal activities of gangs. A weak justice

system exacerbates the difficulty of gathering intelligence: witnesses refuse to testify for fear of reprisals; police do not methodically collect information from gang members in custody; the police and prosecutors fail to investigate or build prosecutions effectively; and crimes (committed by gang members or other criminals) rarely lead to convictions.

#### Size and Locations

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**15.** (SBU) Estimates on the number of gang members in Guatemala vary wildly. The PNC have, in different reports or public statements over the last six months, given estimates ranging from 8,000 to 86,000. A study conducted by NAS and the Executive Secretariat Commission Against Drug Addiction and Trafficking (SECCATID) conducted in 2002 calculated that between 68,000 and 97,000 Guatemalan youth had participated in gangs. A (USAID-funded) NGO coalition for crime prevention (APREDE) interviewed youth around the country in early 2003 and estimated that at least 175,000 individuals either belonged to or directly supported the gangs. Everyone agrees, however, that membership is on the rise. Additionally, there is open speculation that, following the crackdown on gangs under Honduras and El Salvador's "mano dura" (hardline) policies, many gang members from those countries have moved their operations into Guatemala.

**16.** (SBU) The two most notorious gangs in Guatemala are the Mara Salvatrucha and Mara 18 (both of which also exist in neighboring Central American countries and the U.S.). But numerous others have also been identified by police and NGOs (including: Mara Five, Mara 32, the Wafers, the Cholos, the Batos Locos, the Duendes). Gangs are most active in Guatemala City and the surrounding suburbs (Mixco, Villa Nueva, San Juan Sacatepequez). Police additionally estimate that 7-10% of all gang members in Guatemala live in the departments of Huehuetenango, Quetzaltenango, and Retalhuleu, along with smaller numbers in Totonicapan and Chimaltenango. NGOs report some activity in southwestern departments and other cities. Several of the eastern departments -- where there are high levels of narcotrafficking activity -- have few reports of gang activity.

#### Organization

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**17.** (SBU) Gangs in Guatemala are believed to be loosely organized, and it is unclear how much internal discipline is exercised. Small groups of "cliques" report to a leader. Profits from gang activities are turned over to that leader, who in turn provides material support and housing for all the members under his control. In a NAS project in the Guatemala suburb of Villa Nueva, police and NAS consultants believe that a central figure oversees all the cliques in the area. Unfortunately, we do not have any reliable information about the strength of links between gangs in different regions of Guatemala or the existence of a hierarchy of leadership linked to the US, Mexico, or other Central American countries.

#### Why Youth Turn to Gangs

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**18.** (SBU) Similar to the dynamics in most of Central America and the US, gangs in Guatemala are divided along clear territorial lines. Youth generally join the gang that controls their neighborhood. In 2003, the PNC reported the following territorial divisions within Guatemala City:

Zone	Gang	Members
Zone 18	Mara 18	3540
Zone 5	Mara Five	2856
Zone 19	Mara Salvatrucha	1530
Zone 6	Mara 33	975
Villa Nueva	Mara Salvatrucha	1985
Mixco	Burguese	875
Sacatepequez	Colos	990

In all of these areas, graffiti marks out gang territories.

**19.** (SBU) The after-effects of the civil conflict and other social factors in Guatemala have influenced the increasing number and power of youth gangs. Poor access to education, endemic poverty, and lack of job opportunities make crime an attractive economic option. As has been amply reported, experienced gang members deported from the US in the 1990s quickly reformed their criminal organizations in Guatemala. New deportees add to the growth of gangs.

**110.** (U) Approximately a quarter-million guns left in private hands after the civil conflict provide a cheap and easily

obtained supply of weapons. Adult Guatemalans who immigrated illegally to the US over the past twenty years left behind thousands of children with broken families. Domestic violence and child abuse push alienated youth with no social support into gangs. (Note: According to a micro-study by APREDE, 98% of gang members have suffered domestic abuse and 30% were victims of sexual abuse.)

¶11. (U) NGO representatives tell us that, for Guatemalan youth facing these social obstacles, gangs are frequently the only option. They offer children (the illusion of) security, a social identity, a sense of belonging and power, and the ability to earn easy money. According to APREDE, Guatemalan gangs recruit children as young as 6, but most frequently youth (primarily males) from 13-15. By the age of 21, many gang members have been killed in territorial wars or in other violence. Therefore, gangs need to replenish membership constantly, which they are doing easily. In October 2004, Casa Alianza (Covenant House), an NGO that works with abused children, reported to PolOff that the number of children living on the streets of Guatemala City had decreased significantly due to increased gang recruitment.

¶12. (U) Impunity in a weak justice system offers a free field and almost certain escape from punishment for any criminal enterprise. Guatemala currently has a 36 per 100,000 homicide rate, but less than 3% of violent criminal offenses result in investigation, trial, and conviction. With little expectation of punishment, gangs are uninhibited by government measures. Newspaper "Siglo XXI" recently reported the case of a 26 year-old gang member who has been arrested 27 times since 1995 for robbery, drug possession and illegally carrying a weapon -- but, for "lack of evidence," has never been brought to trial.

#### Deadly Initiations and Impossibility of Resignation

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¶13. (SBU) In order to become a full member of a gang, youth generally must complete an assigned task, which include bloody murders, rapes, or other violent crimes. Many tattoos symbolically represent incidents of delinquency (i.e. a tear drop represents a murder). According to APREDE, CEIBA (two organizations that work directly with currently and former gang members), and NAS consultants, once initiated, members are reportedly allowed to drop out of gang activities for only one of two reasons: family or religion. If a member's wife or girlfriend has a child or if they become active members of an Evangelical church (notably, participation in the Catholic faith is not considered sufficient cause for leaving the gang), they are permitted to step down. However, these individuals reportedly retain their association and loyalty to the gang. Apart from these justifications, gang members are never allowed to quit. Those who try are quite often tortured and killed. Ex-members who try to hide elsewhere in Guatemala or Central America are frequently located and murdered.

#### The New Mafias: Extortion Tactics

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¶14. (SBU) President Oscar Berger and Minister of Government Vielmann recently claimed that up to 80 percent of violent crime committed during 2004 in Guatemala was attributable to gangs. Although it is unlikely that the GOG has collected enough reliable intelligence to legitimately back up that claim, the PNC and APREDE have found that 18-22 year-old males are the most common criminal aggressors. Though tattoos can assist in identifying gang members, we have received anecdotal reports that Guatemalan gangs are now purposely leaving some recruits unmarked in order to infiltrate other levels of society.

¶15. (SBU) Gangs have organized widespread and thorough extortion schemes, demanding money, or "war taxes," on a daily basis from market vendors, taxi drivers, small family stores, large corporations, and even neighborhood residents. By focusing on petty crimes on a broad scale and using minors to commit many of the misdemeanor acts, the gangs minimize arrests and prosecutions (which are already almost nonexistent) and maximize profits in extortion.

¶16. (SBU) In Villa Nueva, an outlying suburb of Guatemala City, NAS estimates that gangs earn up to almost \$1.7 million (13.5 million quetzals) annually through extortion. The gang has at least 1500 extortion posts in one market, each of which earns \$3-\$12 (20-100 quetzals) daily. The gangs operate extensive intelligence systems and monitor major purchases and sales in their territory. As soon as residents have cash on hand, gangs move in and steal it. If the police interfere, the gang members return to collect twice as much from the person originally extorted and to beat and/or kill him.

#### Gangs Mix with Drugs and Migration

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¶17. (SBU) Gang members are major consumers and retailers of drugs. However, with the exception of occasionally acting as the "muscle" for existing narcotraffickers in local operations, we have not seen evidence that Guatemalan gangs have become involved in the international drug trade ) yet. (Comment: Based on the organized, Mafia-like structures that Central American gangs are developing internationally, the next step for them could be to move into managing major trafficking operations of drugs and arms. End comment.)

¶18. (SBU) There have been press reports that Guatemalan gangs regularly benefit from illegal migration by preying on migrants on the border with Mexico. In addition, APREDE claims that 95% of gang members deported from the US return within 10 days of their arrival in Guatemala, usually acting as a "coyote" for 2-3 other members to finance their trip. We have also heard that gang organizations have taken control of illegal immigration routes for regular immigrants, but have no evidence to verify this information.

No Known Gang Links to Al Qa'ida

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¶19. (SBU) Though we are aware of reports from Honduras about possible links between Al Qa'ida and Central American gangs, we see no evidence of this.

Obstacles for Police and Prosecutors

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¶20. (SBU) The PNC have few resources to employ against organized crime structures like the gangs. The police force is understaffed, underpaid, and poorly trained and motivated.

In 2004, there were 21,382 PNC officers, but a UNDP contractor told PolOff in November 2004 that only 5,000 officers were on active duty nationwide at any given time. On average, officers earn 2,500 quetzals a month (\$312). Prensa Libre, the largest daily in Guatemala, recently reported that narcotraffickers will pay PNC officers up to 15,000 quetzals (\$1,875) a month in bribes. Gangs also can and certainly do use either bribery or intimidation against the police, especially interactions with officers and chiefs on a local level. In addition, some areas of Guatemala City are so violent that the police won't even enter.

¶21. (SBU) Joint police-military patrols of "red zones" in Guatemala (a former practice brought back by the Berger administration in early 2004 in response to increasing public outcry over violence in the capital) may deter open violence while they are present. However, though it is a strong collaborator with the U.S. on drug trafficking and alien smuggling, the GOG struggles with effective investigation and prosecution of crime.

¶22. (SBU) The Guatemalan Constitution requires that a court-issued arrest warrant be presented to a suspect prior to arrest unless he is caught in the act of committing a crime. Police may not detain a suspect for more than six hours without bringing the case before a judge. Once a suspect has been arraigned, the prosecutor generally has 3 to 6 months to complete his investigation and file the case in court or seek a formal extension of the detention period.

¶23. (SBU) Many arrests of youth made by the police are based on suspicion or visible evidence of participation in gangs (i.e. tattoos). The charges are often minor and arbitrary, such as misdemeanor drug consumption, public scandal, public drunkenness, or misdemeanor assault. In practice, arresting officers frequently fail to satisfy legal requisites for prosecution, particularly in arrests of gang members, so charges rarely stick.

¶24. (SBU) Also, judges are generally more lenient with youth, including gang members, than adults. The NGO Institute of Comparative Legal Studies reports that the majority of youth arrested on drug charges is released in 8-10 days. Forty percent remain in detention for the full phase of investigation (three months). At this stage, neither the police nor the prosecutors of the Public Ministry (MP) are building effective legal cases against the organized activities of gang members. Therefore, gang members are frequently shuffled through the legal system, but are rarely imprisoned for substantial amounts of time.

Prisons Facilitate Gang Recruitment

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¶25. (SBU) Guatemalan prisons are, to a significant degree, run by the prisoners. Sixty percent of those incarcerated are in pretrial detention and remain in prison up to six months. According to the national penitentiary system, there were 8,698 detainees being held in 40 prisons and jails throughout the country in 2004, though the official capacity of the system was only 6,974. The average guard-to-prisoner ration is 1 to 18.

126. (SBU) Both the Institute for Comparative Legal Studies and the leadership of the penitentiary system itself reported to PolOff that discipline in Guatemalan prisons is handled primarily by detainee "Committees of Order and Discipline." There are widespread reports of corruption among prison guards and the so-called "Committees." According to the Institute, detainees who cannot pay "initiation fees" or other bribes are subject to abuse and beatings by fellow prisoners.

127. (SBU) Deplorable conditions in the prisons make them a powerful breeding ground for gang recruitment of minors and young adults. Youth who are not yet gang members and are imprisoned for brief stints, sometimes based on arbitrary arrests, are sent into dangerous situations, where gang membership can offer life-saving protection. Instead of eliminating gang activity, the constant flow in and out of the prison system (due to the inability of the system to sentence suspects), in effect, exacerbates the problem of gangs and increases membership. Therefore, the imprisonment of gang members as an isolated measure is unlikely to succeed in reducing gang activity.

#### Gang Members: Victims of Violence?

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128. (SBU) In addition to being the most common criminal aggressors, males aged 16-25 are the most frequent victims of homicides. In 2004, 41% of all murder victims (1830 of 4507) fell within this age range. Therefore, the increasing rates of violent crime in Guatemala suggest that gangs may be growing larger and more violent ) against each other as well as against the public. In addition, prosecutors from the Public Ministry and some NGOs have theorized that some of the increase in murders of women can be attributed to growing female participation in gangs and other criminal enterprise.

129. (SBU) Some Guatemalan NGOs, such as APREDE, the Institute of Comparative Studies and CEIBA, allege that the PNC exaggerate the power gangs actually have, and that organized crime is, in fact, orchestrating much of their activity to distract security forces. They also claim that the police frequently arrest and abuse youth without the benefit of evidence. The PNC's Office of Human Rights reported to PolOff that the most common complaints against police officers are illegal arrests and planting fake evidence. In January 2004, MINUGUA reported one case in which a former gang member and another man were found shot to death after reportedly receiving threats from the police. The following day, a witness to the murder was also found killed. Some human rights activists, including influential Congresswoman Nineth Montenegro (ANN), have wondered aloud to PolOff whether elite businessmen hire police or others to undertake "social cleansing" against suspected gang members. MINUGUA also speculated in their final report (August 2004) that the PNC committed incidents of "social cleansing," but did not provide details to defend the allegation.

#### USG Efforts Focused on Gangs

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130. (SBU) We have long recognized this growing problem and are searching for the most effective methods to combat gangs. In the last two years, NAS and AID have begun a pilot project, the coordination of programs in Villa Nueva (mentioned in paras 4, 5, and 16) that target the investigation, and prosecution of crime. Since gangs are a serious problem in Villa Nueva, this issue receives much attention and special focus. Though it is too soon to be certain about the impact of our efforts, if they prove successful, the Guatemalans and we will certainly want to expand these programs.

131. (U) AID has a justice center in Villa Nueva (one of fifteen that they support around the country) that brings together prosecutors, police leadership, NGOs, the courts, and community members-at-large to improve coordination in the justice sector and synergize everyone's efforts to combat violence with a particular focus on gangs. These programs aim to combine improved police training and tactics with better coordination between the justice sector and the community to control violent crime, with special attention to gangs.

132. (U) APREDE began as a coalition of NGOs that focuses on crime prevention and rehabilitation of gang members (it has since become independent). USAID has supported the organization for two years. APREDE is one of the only organizations that works directly with Guatemalan gang members and is, as such, a valuable source of information. Their projects work with over 750 ex-gang members or youth identified as at-risk in Antigua, Guatemala City, Villa Nueva, San Marcos, Huehuetenango, and at a former presidential retreat, now a youth training center, in the department of Escuintla. The projects focuses on providing

options to participation in gangs: job training, arts and recreational activities. Through the President's Commission on Human Rights, the Government has given the Coalition some material support, and one of President Berger's first official acts was the inauguration of APREDE's "Casa Joven" (Youth House) in Guatemala City.

**¶33.** (U) NAS has created a Model Precinct Project with the PNC force in Villa Nueva. NAS staff and other consultants have provided intense training to improve the PNC's investigative capacity, particularly in the investigation of the gangs' structure and operations. The police in Villa Nueva are learning how to build a complex, RICO-style case against an entire gang organization for extortion and violent crime.

#### GOG Focuses on Gangs

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**¶34.** (SBU) The PNC recently told NAS that they have formed a Crime Prevention Unit (UPREDE), which will make contact with and transparently monitor the activities of up to 4,000 gang members with records of multiple arrests.

**¶35.** (SBU) Congress is currently considering several proposals to deal with gang-related crime. One gives police a broad mandate to arrest suspected gang members and sets 6-12 year jail penalties for any type of association with gangs. Another authorizes preventative measures with high-risk populations and disarmament and rehabilitation measures for youth associated with gangs. A third, introduced at the beginning of February, specifically criminalizes extortion of bus drivers, grants police the authority to use undercover agents to infiltrate gangs, and authorizes other anti-gang measures, including greater discretion for judges to expedite criminal proceedings against racketeers. The bill also allows minors (12-18) to be tried as adults for violent crimes.

#### Conclusions

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**¶36.** (SBU) Guatemala's efforts to confront gangs are limited by lack of information and capacity to pursue complex criminal investigations. GOG efforts in Villa Nueva are a beginning, but the MOG and Public Ministry realize that these must be stepped up considerably. There is a shortage of trained investigators, and the police lack the computers and relational databases necessary to analyze such information. There is also no capacity to share information regionally: a necessity in a region where gang members cross borders with ease. Police and prosecutors are open to developing the needed capabilities, but they will need our help to do so. Further information is vital in order for the GOG or USG to develop effective strategies to combat gang violence.

**¶37.** (SBU) The social problems that cause youth to join violent gangs are highly complex, so no isolated measures will significantly curb their activities. However, programs aimed at improving police professionalism in building concrete cases against youth and appropriate treatment of gang members would help, as would continued reforms and training of the Public Ministry. Prevention programs like APREDE and efforts to reform control of the prisons could also have a positive impact. We could use additional ESF funding to develop and expand these types of programs and are again requesting additional funding in our MPP submission.

**¶38.** (SBU) Ultimately, though, gangs are likely to expand until Guatemala improves its justice system. Guatemalan gangs demonstrate unrestrained violence, the potential to increase membership (typical throughout Central America), and the capability to expand into major drug, migrant, and weapons trafficking. They threaten Guatemalan stability. In addition, if local gangs are or become tightly organized with their American and Central American counterparts, their activities jeopardize our own security.

**¶39.** (SBU) At this time, none of the legal initiatives under consideration by the Guatemalan Congress is close to approval. However, continued public outcries about crime could easily push them to the top of the agenda. The potential for increased human rights abuses in Guatemala exists if the public, frustrated by the weak justice system and rising crime rates, chooses a candidate in the 2007 elections who, under the pretext of fighting violence, would give the police a free rein to crack down.

HAMILTON